

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

JUDGE MARRERO

Southern District of New York

Scott Ernst, individually and as representative of the  
putative classes,

*Plaintiff*

v.

DISH Network, LLC, DISH Network Service, LLC,  
and Sterling Infosystems, Inc.,

*Defendant*

12 CIV 8794  
Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Sterling Infosystems, Inc., 254 W 31st St, 6th Floor, New York NY 10001

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Nichols Kaster, PLLP  
4600 IDS Center  
80 S 8th Street  
Minneapolis, MN 55402

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RUBY J. KRAJICK  
CLERK OF COURT

Date:

DEC 04 2012

*Signature of Clerk or Deputy Clerk*

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

Scott Ernst, individually and as representative of the  
putative classes

Court File Number

12-CV-8794

v.

Plaintiff,

AFFIDAVIT OF SERVICE

DISH Network, LLC, et al.

Defendant,

State of New York }  
County of New York } SS

Frederick Pringle  
(Name of Server)

, being duly sworn, on oath says that on

12 / 11 / 2012 at 1 : 40 P M  
(Date of Service) (Time of Service)

s(he) served the attached: Summons; Complaint with Exhibits; Civil Cover Sheet; Supplemental  
Documents

upon: Sterling Infosystems, Inc.

therein named, personally at: 249 West 17th Street  
6th Floor  
New York, NY 10011

by handling to and leaving with:

- [ ] the Registered Agent of Sterling Infosystems, Inc.
- [ ] an Officer of Sterling Infosystems, Inc.
- [ ] a Managing Agent, someone within Sterling Infosystems, Inc. whose management capacity is such that (s)he exercises independent judgment and discretion

BETH CORDERO

(Name of the Person with whom the documents were left)

Receptionist

(Title or Relationship)

a true and correct copy thereof.

Subscribed and Sworn to before me

12/14 / 2012.

[Signature]  
(Signature of Notary)

JONATHAN T. RIPPS  
NOTARY PUBLIC - STATE OF NEW YORK  
NO. 01RIG109718  
QUALIFIED IN NEW YORK COUNTY  
COMMISSION EXPIRES MAY 17, 2016

[Signature]  
(Signature of Server)

Serial # NICKAA 110715 1315

Re: 11525-01



\* Service was completed by an Independent contractor retained by Metro Legal Services, Inc.

Metro Legal Services, Inc.

330 2nd Avenue South, Suite 150, Minneapolis, MN 55401  
T (612) 332-0202 or (800) 488-8994 F (612) 332-5215